

11/11 AF/3762  
AB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Omry Ben-Ezra et al.

Serial No. : 10/560,654 Examiner: J. Dietrich  
Filed : May 1, 2006 Group Art Unit: 3762  
For : VAGAL STIMULATION FOR ANTI-EMBOLIC THERAPY

Mail Stop AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: November 10, 2008

Sir:

Transmitted herewith is an amendment to the above-identified application.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.  
 A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.  
 No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For <sup>1</sup>	Number of Extra Claims Presented	RATE		FEE	
				Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	46 -	* 50 =	*** 0 X	\$26	\$52	=	0
Independent Claims	2 -	** 2 =	*** 0 X	\$110	\$220	=	0
Multiple Dependent Claim(s) Presented For First Time Yes <input checked="" type="checkbox"/> No				\$195	\$390	=	0
				TOTAL ADDITIONAL FEE \$ 0			

<sup>1</sup> The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.  
• If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.  
• If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.  
• If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

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Amendment Transmittal Letter  
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The following are also enclosed:

One additional copy of this Amendment Transmittal Letter  
 Return Receipt Postcard  
 An Information Disclosure Statement, including Form PTO-1449  
(Copies of citations included: Yes        No         
and a fee of \$        included)  
 A Petition for an Extension of Time, including a fee of  
\$ 65 for a Petition for 1 Month(s) Extension of Time  
 Other (identify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE TOTAL FEE DUE IS \$ 65.

A check in the amount of \$ 65 is enclosed.  
 Please charge Deposit Account No.        in the amount of  
\$       .

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayment to Deposit Account No. 03-3125 as follows:

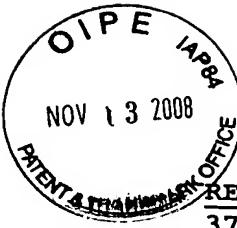
Fees under 37 C.F.R. §1.16 for the presentation of extra claims  
 Patent application processing fees under 37 C.F.R. §1.17

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450.

 11/10/08  
John P. White Date  
Reg. No. 28,678



RESPONSE UNDER  
37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
GROUP ART UNIT 3762

Dkt. 75632/JPW/MC

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1185 Avenue of the Americas  
New York, New York 10036  
November 10, 2008

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER 37 C.F.R. §1.116 IN RESPONSE TO  
JULY 9, 2008 FINAL OFFICE ACTION AND PETITION FOR A 1-MONTH  
EXTENSION OF TIME

This Amendment is submitted in response to the July 9, 2008 Final Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to July 9, 2008 Final Office Action was due October 9, 2008. Applicants hereby petition for a one-month extension of time to respond. The fee for a one-month extension of time is SIXTY-FIVE DOLLARS (\$65.00) and a check including this amount is enclosed. However, since November 9, 2008 falls on a Sunday, a response filed Monday, November 10, 2008, i.e. the next business day, shall be considered timely. Accordingly, this response is being timely filed.

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**AMENDMENT IN RESPONSE TO JULY 9, 2008 FINAL OFFICE ACTION**

In response to the Final Office Action dated July 9, 2008, kindly amend the above-referenced application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 15 of this paper.